

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-4778

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JONTE DERRELL PARTRIDGE,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of Virginia, at Newport News. Henry Coke Morgan, Jr., Senior District Judge. (4:12-cr-00112-HCM-LRL-1)

Submitted: April 21, 2014

Decided: May 9, 2014

Before SHEDD and DIAZ, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Michael S. Nachmanoff, Federal Public Defender, Caroline S. Platt, Appellate Attorney, Suzanne V. Katchmar, Assistant Federal Public Defender, Alexandria, Virginia, for Appellant. Dana J. Boente, Acting United States Attorney, Timothy R. Murphy, Special Assistant United States Attorney, Newport News, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Jonte Partridge was convicted of possession of a firearm by a convicted felon, 18 U.S.C. § 922(g)(1) (2012), and was sentenced to seventy-eight months in prison. He now appeals. Partridge's attorney has filed a brief in accordance with Anders v. California, 386 U.S. 738 (1967), raising one issue but stating that there are no meritorious issues for appeal. Partridge has filed a pro se brief raising additional issues. We affirm.

In the Anders brief, Partridge contends that the prosecution improperly vouched for its witnesses during closing argument and on rebuttal. Because this matter was not raised below, our review is for plain error. See United States v. Olano, 507 U.S. 725, 731-32 (1993). We discern no error in the prosecutor's use of the phrases "I think" and "I submit" during closing and rebuttal. See United States v. Johnson, 587 F.3d 625, 632 (4th Cir. 2009); United States v. Adams, 70 F.3d 776, 780 (4th Cir. 1995). Even if there was error, however, the phrases were used in isolation, and the evidence of Partridge's guilt was strong. Accordingly, there was no plain error. See United States v. Olivierre, 378 F.3d 412, 421-22 (4th Cir. 2004).

We conclude additionally that the issues raised in Partridge's pro se brief lack merit. Pursuant to Anders, we

have reviewed the entire record and have found no meritorious issues for appeal. Accordingly, we affirm the district court's judgment. This court requires that counsel inform Partridge, in writing, of his right to petition the Supreme Court of the United States for further review. If Partridge requests that a petition be filed, but counsel believes that such a petition would be frivolous, then counsel may move in this court for leave to withdraw from representation. Counsel's motion must state that a copy thereof was served on Partridge. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED